

Whereas a treaty was made on the second day of October in the year of our Lord one thousand seven hundred and ninety eight, near Tellico, on Cherokee grounds, within the United States, by and between the United States of America, represented by George Walton and Thomas Butler Esquires, Commissioners duly appointed for that purpose, and the Cherokee nation of Indians represented by the Chiefs and Warriors, whose names are thereunto subscribed: Which Treaty is in the words following:

Between the

and The

Cherokee Indians

understandings which had arisen. And Whereas, in order to remove such misunderstandings, and to provide for carrying the said Treaty into effect, and for re-establishing more fully the peace and friendship between the parties, another Treaty was held, made and concluded by and between them, at Philadelphia, the twenty sixth day of June, in the year, one thousand seven hundred and ninety four: In Which, among other things, it was stipulated, that the boundaries mentioned in the fourth article of the said Treaty of 1763 should be actually ascertained and marked, in the manner prescribed by the said Article, whenever the Cherokee Nation should have ninety days notice of the Time and place at which the Commissioners of the United States intended to commence their Operation. And Whereas further delays in carrying the said fourth article into complete effect did take place, so that the Boundaries mentioned and described therein were not regularly ascertained and marked until the latter part of the year one thousand seven hundred and ninety seven: Before which Time, and for want of knowing the direct course of the said boundary, divers settlements were made, by divers Citizens of the United States, upon the Indian lands over and beyond the boundaries so mentioned and described in the said article, and contrary to the intention of the said Treaties: But which settlers were removed from the said Indian Lands, by authority of the United States, as soon after the boundaries had been so lawfully ascertained and marked as the nature of the case had admitted. And Whereas for the purpose of doing justice to the Cherokee Nation of Indians, and remedying incursions arising to Citizens of the United States from the adjustment of the boundary line between the Lands of the Cherokees and those of the United States, or the Citizens thereof, or from any other cause in relation to the Cherokees; and in order to promote the Interest and safety of the said states, and the Citizens thereof, the President of the United States, by and with the advice and consent of the Senate thereof, hath appointed George Slaton, of Georgia, and the President of the United States hath also appointed Lieutenant Colonel Thomas Butler, commanding the Troops of the United States in the State of Tennessee, to be Commissioners for the purpose aforesaid; And Who, on the part of the United States, and the Cherokee Nation, by the undersigned Chiefs and Warriors, Representing the said Nation, have agreed to the following Articles, Namely.

Article 1<sup>st</sup>

*The Peace and friendship, subsisting between the United States and the Cherokee People, are hereby renewed, continued and declared perpetual*

Article 2<sup>nd</sup>

The Treaties subsisting between the present contracting Parties, are acknowledged to be of full and operating force; together with the construction and usage under their respective articles: and so to continue.

Article 3<sup>a</sup>. The Limits and boundaries of the Cherokee Nation, as stipulated and marked by the existing Treaties between the parties, shall be and remain the same, unless and altered by the Present Treaty.

Article 4.<sup>th</sup> In Acknowledgment for the protection of the United States, and for the considerations herein after expressed and contained, the Cherokee Nation agree, and do hereby relinquish and cede to the United States, all the lands within the following limits and boundaries, To-wit: From a Point on the Tennessee River, below Talbot's Black-house, called the wide-cut Rock, in a direct line to the militia's spring, near the Henry's Mills Road leading from Tellico. From the said spring to the Chul-ho-wee Mountain, by a line so to be run as will leave all the farms on Nine-mile Creek to the Northward and Eastward of it; and to be continued along Chul-ho-wee Mountain until it strikes Henderson's line. Thence along

*Article 5.* To prevent all future misunderstanding about the line described in the foregoing article, two Commissioners shall be appointed to superintend the running of said line, where not ascertained by the Rivers, immediately after signing this Treaty, one to be appointed by the Commissioners of the United States, and the other by the Cherokee Nation; and who shall cause these maps or charts thereof to be made out; one whereof shall be transmitted and deposited in the War Office of the United States, together with the Declaration of the State of Tennessee, and the third with the Cherokee Nation; which said line shall form a part of the Boundary between the United States and the Cherokee Nation.

Article 6<sup>th</sup> In Consideration of the adjustment and Goodly made, the United States upon signing the present Treaty, shall cause to be delivered to the Cherokee, Goods, whose Value, according to the amount of two thousand Dollars, in addition to the sum already provided for and will continue the Guarantee of the country forever made.

*In Consideration of which it is hereby agreed on the part of the United States, that, until Settlements shall make it impracticable, the American Hunters shall be at liberty to hunt and take Game upon the Lands relinquished to this Treaty.*

Article 8<sup>th</sup>. Due Notice shall be given to the principal Towns of the Churches, of the Time proposed for delivering the annual Sermons; and sufficient supplies of provisions shall be furnished, beyond at the Expense of the Church Stewards, to sustain such reasonable number that may be sent or shall attend to receive them, during a reasonable

Article 9<sup>th</sup> It is mutually agreed between the Parties, that horses stolen, and not returned within ninety days, shall be paid for, at the rate of twenty dollars each: Provided by a white man, Citizen of the United States, the Sworn Proprietor shall be paid in Cash, and if stolen by an Indian from a citizen, he be deducted as expressed in the 1<sup>st</sup> Article of the Treaty of Philadelphia. This article shall have retrograde to the commencement of the first conference at this place in the present year, and no farther. And all animosities, aggressions, thefts, &c. &c. &c. prior to that day shall cease, and be no longer remembered or demanded on either Side.

Article 10<sup>th</sup>. The Choctaw Nation agree that the Agent who shall be appointed to reside among them, from time to time, shall have a sufficient piece of Ground allotted for his temporary Use. — And lastly, This Treaty, and the several articles it contains, shall be considered as additional to, & forming a part of, the Treaty of Amity, Commerce, Fishing, &c. between the United States & the Choctaw Nation, made at Washington, the 24<sup>th</sup> of March, 1802, and shall be subject to the same Ratification, and shall be confirmed by the same Authority.

anywhere subsisting between the United States & the Cherokee Nation, and shall be annulled & effaced, on both sides, with all good faith as soon as the same shall be approved; I ratify to the President of the United States, and the Senate thereof. In witness whereof I have hereunto set my hand and the Great Seal of the United States, at the City of Washington, this fourth day of October, in the Year one thousand seven hundred and ninety-eight, and in the twenty-third year of the Independence of the United States.

F. D. Butler—

Geo Walker.

*Negetiak* or *Bloody Fellow*

Witnesses  
Elisha T. Hall Secy of the Commissioners  
Shadrach Rogers Agent of the Cherokee  
John W. Hooker U. S. Factor —  
Comptroller Capt. Comming Lewis  
Robt. Purdy Junr U. S. & Agt  
Andrew Freeman  
Jas McDonald  
Daniel Rich  
William D. Baker Esquire  
Saml Hanley  
Michael McHenry  
Capt. Hays Interpreter  
James Casey Interpreter  
John Thompson

Ostiah	X	Hamita or Little Turkey	X
Jawine or John	X		X
Chahkuteh	X	Hetigahie	X
Chahmouteh or Dethia	X	Tauquothea or the Glop	X
Wood house	X	Chugutahie	X
Hamatehah or winged Parrot	X	Salt hoocho, salt	X
Utturah or Silver Wren	X	Tall Turkey	X
Wu, la, or Will	X	Chahkue	X
Chahkuteh	X	Turkigahie or Long Tail	X
Heene	X	Neeke, name of a Woman holder	X
Lawarkuteh or Little John	X	Hahatichie	X
Onahkuteh	X	He tatehah or Prince	X
Hamawuteh or Brown	X	Charley	X
Yonah Wad Bear at home	X	Whet	X
Chahfilene or Thick legs	X	Luwahkuteh	X
Chahkuteh	X	Yonah Eguah or Big Bear	X
Hamamah or Butterfly	X	Hamahamnah	X
Chahkuteh	X	Koy, we people here	X
		Tahkalehah	X
		Chahkuteh or John Taylor	X
		Chahkuteh	X



Now be it known, that John Adams President of the United States of America, having seen and considered the said Treaty, do by and with the advice and consent of the Senate, accept, confirm and ratify the same, and every clause and Article thereof.

In Testimony whereof, I the said John Adams President of the United States of America, have caused the Seal of the United States to be hereunto affixed, and signed the same with my hand at Philadelphia the thirtieth day of January in the year of our Lord one thousand seven hundred and ninety nine, and of the Independence of the United States of America the Twenty Third.

John Adams

By the President.

Timothy Pickens  
Secretary of State.

Treaty with the Cherokee Indians  
ratified Oct 2, 1798  
ratified 30 Jan'y 1799.

Ms. A.  
1032



United States of America,

In Senate, January the 22<sup>d</sup> 1799.

Resolved, two thirds of the Senators  
present concurring therein, that the Senate do  
advise and consent to the Ratification of the  
Treaty made on behalf of the United States  
with the Cherokee Nations of Indians at Tol-  
lico, on the 2<sup>d</sup> day of October 1778.

Attest,

Saml. A. Otis Secretary

His Secretary



Act of the Senate, approving the  
Treaty made near Tellico on the  
24 Oct. 1790, with the Cherokee  
nation of Indians.

Recd. 23rd Jan. 1799.

